

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON SEPTEMBER 13, 2010, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT, EDWIN H. HUMPHREY, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

**IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC HEARING
RELATIVE TO THE PROPOSED VACATION OF A PORTION OF OLD
STATE ROUTE 74 SITUATED IN BATAVIA TOWNSHIP...10-0712-003**

LET THE RECORD SHOW: THAT COMMISSIONERS ROBERT L. PROUD AND EDWIN H. HUMPHREY AND CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, VIEWED A PORTION OF OLD STATE ROUTE 74 SITUATED IN BATAVIA TOWNSHIP PROPOSED TO BE VACATED ON 09/13/10 AT 10:00 A.M.

LET THE RECORD FURTHER SHOW: THAT COMMISSIONER R. SCOTT CROSWELL III VIEWED THE PROPOSED AREA TO BE VACATED THIS DATE PRIOR TO THE PUBLIC HEARING.

LET THE RECORD SHOW: THAT A PUBLIC HEARING WAS HELD THIS DATE SHORTLY AFTER 1:00 P.M. IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960 TO AFFORD PUBLIC COMMENT ON THE PROPOSED VACATION OF A PORTION OF OLD STATE ROUTE 74 SITUATED IN BATAVIA TOWNSHIP.

*****THIS PUBLIC HEARING WAS RECORDED AND VIDEOTAPED AND EITHER/OR ARE AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M.*****

CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, PROVIDED AN OVERVIEW OF THE PROPOSED VACATION READING THE LEGAL DESCRIPTION OF THE PROPERTY TO BE VACATED AND READ INTO THE RECORD THE REPORT FROM THE ENGINEER'S OFFICE. MR. RISNER STATED THAT THE TOTAL LENGTH TO BE VACATED IS 858.66 FEET. HE STATED THE AREA PROPOSED TO BE VACATED CONTAINS ROAD MILEAGE CURRENTLY REIMBURSED BY THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION AND WILL REDUCE BATAVIA TOWNSHIP'S CERTIFIED ROAD MILEAGE BY 0.163 MILES. MR. RISNER FURTHER STATED THAT THIS PROPOSED VACATION WILL NOT CREATE ANY LANDLOCKED PARCELS AND ADVISED THAT IF THE PROPOSED ROAD VACATION IS APPROVED, EASEMENTS WOULD REMAIN AVAILABLE FOR ACCESS TO THIS PORTION OF OLD STATE ROUTE 74 FOR UTILITY COMPANIES.

TOMMY ARNOLD, OHIO DEPARTMENT OF TRANSPORTATION, DISTRICT 8, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS INDICATING THAT THE OHIO DEPARTMENT OF TRANSPORTATION CONTINUES TO WORK COLLABORATIVELY WITH CLERMONT COUNTY FOR THE IMPROVEMENT OF STATE ROUTE 32 INTO A FREEWAY TYPE FACILITY FROM IR275 TO MOUNT ORAB. MR. ARNOLD STATED THAT OHIO DEPARTMENT OF TRANSPORTATION'S POSITION IN THIS PROPOSED ROAD VACATION IS NEUTRAL, HOWEVER, THEIR PRIMARY CONCERN IS THE LARGE TRACT OF UNDEVELOPED LAND, WHICH IF DEVELOPED WOULD MAKE REMOVING THE ACCESS AT OLD 74 AND SR32 COSTLY AND DIFFICULT. IF SOME ACCESS COULD BE PROVIDED TO THIS PARCEL VIA ROUDEBUSH LANE, THEN THE PROPOSED VACATION WOULD NOT BE OF A CONCERN.

REX PARSONS, TOWNSHIP ADMINISTRATOR, BATAVIA TOWNSHIP, ADDRESS THE BOARD OF COUNTY COMMISSIONERS IN SUPPORT OF THE PROPOSED ROAD VACATION OF A PORTION OF OLD STATE ROUTE 74. MR. PARSONS INDICATED THAT THIS PORTION OF OLD STATE ROUTE 74 IS NOT UTILIZED FOR ACCESS BY THE PROPERTY OWNERS. HE ALSO STATED THAT CONCRETE BARRIERS WOULD BE PLACED ON THE ROAD BUT COULD BE MOVED TO ALLOW ACCESS BY THE UTILITY COMPANIES, WHEN REQUIRED.

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, THE PUBLIC HEARING WAS CONCLUDED AT 1:19 P.M.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 157-10/RESOLUTION DETERMINING TO VACATE A PORTION OF OLD STATE ROUTE 74 IN BATAVIA TOWNSHIP...10-0712-003...ADOPTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt Resolution Number **157-10** determining to vacate a portion of Old State Route 74 in Batavia Township, Clermont County, Ohio, as described therein, pursuant to and in compliance with Section 5553.04 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...MENTAL HEALTH & RECOVERY BOARD LEVY PRESENTATION...10-0716-005

Karen Scherra, Executive Director, Clermont County Mental Health & Recovery Board, addressed the Board of County Commissioners regarding the proposed Alcohol, Drug Addiction, and Mental Health Services Renewal Levy, which will be presented to the electorate of Clermont County on Tuesday, November 2, 2010. She indicated that this is a renewal levy in the amount of one half (0.50) mill and that it would not raise any taxes. Ms. Scherra introduced Joe Ellison, Chief Probation Officer, Clermont County Municipal Court/Adult Probation Department. Mr. Ellison stated that the services provided by the Mental Health and Recovery Board are very progressive and beneficial to the Courts, as well as other agencies throughout Clermont County. He stated that the services provided help to divert individuals with mental health issues from jail, to rehabilitate those individuals and places an emphasis on public safety. Ms. Scherra further indicated that a grant has been secured and a portion of it provides the funding for a mobile unit for the Crisis Response Team to work together with the police officers within the County for the benefit of those individuals with mental health issues. In closing, Ms. Scherra asked for the support of Issue Number 6 on November 2, 2010.

IN RE: BOARD OF COUNTY COMMISSIONERS...PROCLAMATION... DESIGNATING "ACCIDENTAL FALL AWARENESS WEEK" IN CLERMONT COUNTY, OHIO...10-0816-001...ADOPTED

Recommendation of the Board of County Commissioners, Clermont County, Ohio, to issue a Proclamation designating the week of **September 19, 2010, through September 25, 2010**, as "Accidental Fall Awareness Week" in Clermont County, Ohio.

**IN RE: MAINTENANCE AGREEMENTS FOR VARIOUS DEPARTMENTS FOR
THE PROVISION OF MAINTENANCE ON OFFICE
EQUIPMENT...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to approve Maintenance Agreements with various vendors for the provision of maintenance on the following equipment at the rates and the terms outlined below pursuant to the terms and conditions set forth therein and to authorize David L. Spinney, County Administrator, to execute the Maintenance Agreements and the Rider for Equipment Maintenance Agreements attached thereto:

Elected Official or Department	Vendor	Equipment/Model #/ Serial Number(s)	Rate	Term
Department of Job and Family Services DC# 10-0907-005	Woodhull, LLC 125 Commercial Way Springboro, Ohio 45066	Lanier Copiers LD260SP S/N: M9285400323 M9285400155	\$158.00 per copier with a charge of \$0.0120 per copy over 15,000 copies	07/23/10 through 08/22/10
Department of Job and Family Services DC# 10-0907-006	Woodhull, LLC 125 Commercial Way Springboro, Ohio 45066	Lanier Copiers LD260SP S/N: M9285400323 M9285400155 Lanier Copier LD050 S/N: M5695200108 Lanier Copier LD255 S/N: L7775500638 Lanier Copier LD260 S/N: M9285200171	\$1,392.00 per copier per year with a total copy allowance of 145,000 copies for all five (5) copiers and a charge of \$0.0120 per copy over 145,000 copies	08/23/10 through 08/22/11

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY
ACTIONS FOR FISCAL YEAR 2010...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2010 (Resolution Number 211-09) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2010:

AMOUNT	FUND / ORGANIZATION	FUNCTION - DIVISION - ORG CODES	OBJECT CODE	OBJECT DESCRIPTION	PROJECT CODE AND DESCRIPTION (if applicable)
\$ 11,146.00	General Fund 1000 Communications Center	04-01-111000	512100	Overtime	
\$ 3,500.00	Certificate of Title Administration Fund 2102	01-05-221000	610000	Maintenance & Repair	

\$ 600.00	Certificate of Title Administration Fund 2102	01-05-221000	630000	Utilities	
\$ 7,184.00	County Capital Improvement Fund 4007	00-00-004007	530000	Purchased Services	
\$ 10,600.00	County Capital Improvement Fund 4007	00-00-004007	570000	Materials & Supplies	
\$ 18,700.00	County Capital Improvement Fund 4007	00-00-004007	610000	Maintenance & Repair	
\$ 49,400.00	County Capital Improvement Fund 4007	00-00-004007	660000	Capital Outlay	

BUDGET TRANSFER OF FUNDS:

AMOUNT	FUND / ORGANIZATION	FROM	OBJECT DESCRIPTION	TO	ORG DESC (IF NEEDED) – OBJECT DESCRIPTION
\$ 1,300.00	General Fund 1000-01-01 Information Systems Dept.	102000- 520000	Fringe Benefits	103000- 520000	Record Retention Fringe Benefits
\$ 5,000.00	General Fund 1000-04-01 Communications Center	111000- 511200	Regular Salary	111000- 512100	Overtime
\$ 5,000.00	General Fund 1000-04-01 Communications Center	111000- 511700	Bargaining Unit Salary	111000- 512100	Overtime
\$ 5,338.78	General Fund 1000-04-01 Building Inspection	121371- 511200	Regular Salary	121371- 513200	Retirement Payout

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF
EXPENSES RELATIVE TO SAME...APPROVED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2010 and any and all amendments subsequent thereto:

COMMON PLEAS CLERK OF COURTS

Elizabeth Burroughs, Alice Fricke and Shirley Williamson: Three (3) days – Columbus, Ohio – Ohio Clerk of Courts Association Fall Education Seminar – Total expenses not to exceed \$1,111.00.

CLERMONT COUNTY MUNICIPAL COURT/ADULT PROBATION DEPARTMENT

Nicole McClure: Two (2) days – Highland Heights, Kentucky – 37th Annual Kentucky School of Alcohol and Other Drug Studies Training – Total expenses not to exceed \$230.00.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

Jim Taylor and Annette Decatur: Four (4) days – Cambridge, Ohio – Ohio Department of Development 2010 Community Development Conference – Total expenses not to exceed \$835.00.

BUILDING INSPECTION DEPARTMENT

Steve Rivera, Bob Malin, Gary Pitzer, James Young and Bruce Crase: One (1) day – Sharonville, Ohio – Southwestern Ohio Building Officials Association Fire Alarm Systems Seminar – Total expenses not to exceed \$125.00.

BOARD OF COUNTY COMMISSIONERS

Scot Lahrmer: One (1) day – Covington, Kentucky – Cincinnati USA Partnership Regional Economic Forecast for 2011 – Total expenses not to exceed \$25.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: TRAINING AND TRAVEL REQUEST...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...WITHDRAWN

Recommendation of David L. Spinney, County Administrator, to approve the following request for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2010 and any and all amendments subsequent thereto:

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Robert L. Proud: Two (2) days – Columbus, Ohio – Reclaim Advisory Committee Meeting and Ohio Criminal Sentencing Commission – Total expenses not to exceed \$232.00.

IN RE: PERSONNEL ACTION FORM...APPROVED

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

LET THE RECORD SHOW: That a motion by Mr. Humphrey, seconded by Mr. Croswell, to approve the minutes of Regular Session of **09/13/10** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:43 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

COMMISSIONERS' JOURNAL #305 CLERMONT COUNTY REGULAR SESSION 09/13/10

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**ROBERT L. PROUD, PRESIDENT
EDWIN H. HUMPHREY, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 09/13/10